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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/353,938	07/15/1999	CHRISTOPHER M. JAGGERS	M-7682-US	4344

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EXAMINER
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THAI, XUAN MARIAN

ART UNIT	PAPER NUMBER
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2181

DATE MAILED: 05/08/2003

13

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/353,938

Applicant(s)

JAGGERS ET AL.

Examiner

XUAN M. THAI

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 February 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-39,41-48 and 50-53 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-39,41-48 and 50-53 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. This is in response to communications filed on February 20, 2003. Claims 40 and 49 were canceled. Claims 1, 10, 13, 27, 39, 41, 45, 48 and 50 were amended. Claims 1-39, 41-48 and 50-53 remain pending in the instant application.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4, 6-18, 20-30, 32-38, 41-48 and 50-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mini PCI Specification in view of Fukuzumi (USPN 5,737,582).

As per claims 1, 2, 6-8 and 10-12; Mini PCI Specification discloses a system comprising: a mini-PCI connector (e.g. systems connector; see pages 5-6 to 5-12). However, the Mini PCI Specification does not disclose a modular bay enclosure operable to provide an interconnect for mini-pci card to a computer system; and mini-pci connector electrically mounted to the modular bay enclosure, the mini-pci connector allow a user to removable attach the mini-pci card to interconnect with the computer system.

Fukuzumi in the IC Card and IC Card System art teaches that it is known to enable a variety of functions to be added to a modular IC card (modular bay enclosure) by providing a connector (27) in the modular IC card (modular bay enclosure) to enable a plurality of function cards (sub-cards 22; e.g. mini-pci cards) to be added to the main body of an IC card 21 (modular

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bay enclosure) with ease (e.g. see Abstract, figs. 1, 2, 4, 5, 6, 7, 8 and respective detailed description) and in turn provides interconnect with the computer system. It would have been obvious to one of ordinary skill in the IC Card and IC Card system art at the time the invention was made to incorporate the teachings as taught by Fukuzumi in the system of Mini PCI Specification to achieve a modular system that allows for addition of and change of a plethora of function cards to be easily performed thus enable additional expansion of the memory or extension of the function after delivery to be added or changed with ease whereas it was impossible before. Furthermore, Fukuzumi states that IC card enclosure (modular bay enclosure) provides mechanical strength to protect internal circuit patterns of subcard (mini-pci card) from mechanical damage [see col. 7, lines 65 et seq. col. 8, lines 1-3]. Another advantage of incorporating the teachings of Fukuzumi is the reduction of cost (see cols. 1-2). Additionally, by using teachings of Fukuzumi, such as using IC card as modular bay enclosure and removable sub-card having connector for being connected to the main body of IC card (bay enclosure) and additional function disposed therein. The user is able to use sub-cards to meet purposes so that a variety of additional functions are easily added and therefore the convenience of the IC card (modular bay enclosure) is improved [see col. 16, lines 15-23].

As per claim 3, further comprises pin-type connector is taught by Mini PCI Spec and Fukuzumi.

As per claim 4, further comprises board-edge connector (e.g. single edge contacts; see fig. 4; element 27).

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As per claim 9, the connectors are selected from a group comprising of video connector, audio connector, Ethernet connector and modem connector is within the teachings of Mini PCI Spec and Fukuzumi.

As per claims 13, 16, 20-22, and 24-26; The Mini PCI Spec and Fukuzumi discloses the claimed invention as detailed supra in reference to claim 1. The Mini PCI Spec and Fukuzumi further discloses an operating system, a CPU, system memory and I/O bus.

As per claims 14 and 15, The Mini PCI Spec and Fukuzumi further disclose various graphics capabilities and hardware for displaying graphics and network interface and card (e.g see Fukuzumi; col. 1).

As per claim 17, further comprises pin-type connector is taught by Mini PCI Spec and Fukuzumi.

As per claim 18, further comprises board-edge connector is taught by Mini PCI Spec and Fukuzumi. (see fig. 4).

As per claim 20, a modular bay enclosure containing the module connector operably connected with said mini PCI connector is taught by Fukuzumi and Mini-PCI Spec.

As per claims 21 and 22, the mini-PCI connector is at least one of the connectors defined by a mini-PCI specification is within the disclosure of Mini-PCI Spec.

As per claim 23, the connectors are selected from a group comprising of video connector, audio connector, Ethernet connector and modem connector is within the teachings of Mini PCI Spec and Fukuzumi.

As per claims 27-30 and 32-38, they encompass the same scope of invention as to that of claims 1-4 and 6-12, except that they are drafted as method format rather than apparatus format, the claims 27-30 and 32-38 are therefore rejected for the same rationale as being set forth with respect to claims 1-4 and 6-12 supra.

As per claims 39, 41-48, and 50-53, they encompass the same scope of invention as to that of claims 1-4 and 6-26, except that they are drafted as method and system format rather than apparatus format, the claims 39, 41-48, and 50-53 are therefore rejected for the same rationale as being set forth with respect to claims 1-4 and 6-26 supra.

4. Claims 5, 19 and 31 rejected under 35 U.S.C. 103(a) as being unpatentable over Mini PCI Specification in view of Fukuzumi (USPN 5,737,582), and in further view of Gilbert (USPN 6,067,583).

The combination of Mini PCI Specification and Fukuzumi discloses the claimed invention except for the use of a wireless connection medium.

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Gilbert in his teachings of wireless adapter for a data-processing system having a computer including a computer interface connector for accepting a modem interface connector of a wired modem uses an adapter card to allow wireless communication. It would have been obvious to one of ordinary skill in the art to modify the system of the combination of Mini PCI Specification and Fukuzumi to allow for wireless option as taught by Gilbert. Such modification would provide alternative connector styles for interfacing to the different computers, modems, and systems; and other alternatives. This configuration would thus allow the same for example LAN adapter card to function in either a wired or a wireless configuration, and would allow upgrading the LAN card without replacing an entire wireless system. Thus being advantageous.

### ***Response to Arguments***

5. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). The combination of the Mini-PCI Specification and Fukuzumi discloses all the features of the claimed invention as detailed supra. It is noted that Gilbert is used to show that wireless communication using a wireless adapter is well known. Therefore, the combination of references together teaches all the features of the claimed invention.

### ***Conclusion***

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6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See attached Form PTO-892.

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Xuan M. Thai whose telephone number is (703) 308-2064. The examiner can normally be reached on alternate Monday and Tuesday-Friday from 8:30 a.m. to 6:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner supervisor, Mark Rinehart, can be reached on (703) 305-4815.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703) 746-7238	[After Final Communication]
(703) 746-7239	[Official Communication]
(703) 746-7240	[For Status inquiries and draft communication]



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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.



XUAN M. THAI  
PRIMARY EXAMINER  
TECHNOLOGY CENTER 2100

XMT  
May 4, 2003